

## Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CCO-00 CIAE-00 OTPE-00 FCC-01

INR-07 NSAE-00 OC-05 USIA-06 COME-00 BIB-01 IO-11

OIC-02 DODE-00 DOTE-00 FMC-01 CG-00 OFA-01 DLOS-04

PA-01 PRS-01 OMB-01 L-03 TRSE-00 AF-06 ARA-06 EA-07

NEA-10 SP-02 /096 W

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R 171838Z FEB 76

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 9050

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E.O. 11652: N/A

TAGS: PORG, ETEL, IMCO

SUBJECT: INMARSAT CONFERENCE, SECOND SESSION: DAY 6

REF: LONDON 2437

SUMMARY: CONFERENCE RESUMED ON MONDAY WITH DISCUSSION  
AND ADOPTION MF ARTICLES IN COMMITTEES I AND II. END  
SUMMARY.

1. COMMITTEE I, AFTER DEFEAT OF TURKISH AND SOVIET  
MOVES TO BROADEN DEFINITION OF WORD "SHIP", ADOPTED  
US PROPOSAL TO EXCLUDE PERMANENTLY MOORED PLATFORMS  
FROM THE DEFINITION. RATIONALE WAS THAT SUCH PLATFORMS  
SHOULD ONLY BE PERMITTED TO ACCESS SYSTEM ON A CASE-BY-  
CASE BASIS WHEREBY COUNCIL CAN ENSURE THAT THEIR ACCESS  
WOULD NOT SIGNIFICANTLY AFFECT SERVICE TO MORE TRADITION-  
AL "SHIPS". (COMMITTEE AGREED YESTERDAY TO INCLUDE US-  
PROPOSED PARAGRAPH IN ART 7 GIVING COUNCIL POWER TO  
PERMIT ACCESS ON A CASE-BY-CASE BASIS TO STRUCTURES  
OTHER THAN SHIPS.) HOWEVER, ANOTHER AMENDMENT PASSED  
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OVER US OBJECTIONS TO ADD TO DEFINITION OF SHIPS FOLLOW-

ING PHRASE: AND SUCH OTHER TYPES OF VESSELS AS THE COUNCIL MAY DECIDE." (NET EFFECT IS THAT COUNCIL HAS TWO POWERS FOR DEALING WITH NEW OR QUESTIONABLE VESSELS OR STRUCTURES, COUNCIL COULD, UNDER ART 1, DECIDE THAT A PARTICULAR OBJECT IS A "SHIP". IN THIS CASE ALL SUCH OBJECTS WOULD BE ENTITLED TO ACCESS ON SAME BASIS AS OTHER "SHIPS", IT WOULD NOT APPEAR POSSIBLE TO REVERSE SUCH A COUNCIL DECISION. ON THE OTHER HAND, THE COUNCIL COULD DECIDE THAT THE OBJECT IS A "STRUCTURE". ACCESS WOULD THEN REQUIRE SPECIFIC COUNCIL PERMISSION WITH RESPECT TO EACH SUCH STRUCTURE AND SUCH PERMISSION WOULD BE LIMITED IN THAT ACCESS MIGHT SOME DAY CEASE IF IT WAS SIGNIFICANTLY AFFECTING SERVICE TO TRADITIONAL SHIPS.) US ASTAINED ON FINAL VERSION TO ALLOW TIME TO CONSIDER IN US DEL MEETING.

2. ART 3 ADOPTED ALMOST EXACTLY AS IN ISWG TEXT WITH UNDERSTANDING US PROPOSAL TO ADD PRINCIPLE OF COMMERCIALITY YET TO BE DECIDED.

3. DISCUSSION BEGAN ON ART 5, OTHER SPACE SEGMENTS. SOVIET PROPOSAL TO DELETE ARTICLE ENTIRELY DEFEATED BY ROLL CALL VOTE 13-25(US)-0. US PROPOSAL TO CLARIFY TEXT BY, INTER ALIA, DEFINING AND SEPARATING TECHNICAL AND ECONOMIC HARM AND ASSIGNING RESPONSIBILITY TO COUNCIL FOR FORMER AND ASSEMBLY FOR LATTER DEFEATED BY 29-2(US)-

6. ISWG TEXT PASSED 25-5-8(US) WITH MODIFICATIONS. (PROVISION DELETED WHICH OBLIGATED PARTIES NOT TO PUT INTENDED SPACE SEGMENTS INTO EFFECT UNTIL ASSEMBLY MADE

RECOMMENDATION WITHIN 9 MONTHS. US PROPOSAL FOR EXCEPTIONS FOR DOMESTIC PURPOSES, NATIONAL SECURITY PURPOSES AND EXISTING AND INTELSAT FACILITIES HAVE YET TO BE DEALT WITH.

COMMITTEE II - FEB 16

1. COMMITTEE II ADOPTED FOLLOWING ARTICLES FEB 16:

A. ART V - PARA (1) (WP-10); REFERENCE TO "ARTICLE LIMITED OFFICIAL USE

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20 OF THE CONVENTION" RETAINED IN SQUARE BRACKETS.

B. ART V (WP-12) - PARAS 2, 8, 9, 9BIS, AND PARA 10 (WP-12/ADD-1); INVESTMENT SHARE IN PARA (2) LEFT BLANK.

C. ART VI.

D. ART IX (MARSAT/CONF/13) - SQUARE BRACKETS PARA (1)

REMOVED AND PARA ADOPTED. PARA 2 ADOPTED AS FOLLOWS:  
"ALL PAYMENTS BETWEEN SIGNATORIES AND THE ORGANIZATION  
PURSUANT TO THE OPERATING AGREEMENT SHALL BE EFFECTED  
IN ANY FREELY CONVERTIBLE CURRENCY ACCEPTABLE TO THE  
CREDITOR."

2. IN RELATED DISCUSSION OF UNIT OF ACCOUNT AND CAPITAL  
CEILING ARTICLE IV, COMM II AGREED TO RECOMMEND TO  
PLENARY ADOPTION OF 200 MILLION US DOLLARS WITHOUT

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R 171838Z FEB 76

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QUALIFICATION. NOTE IN COMM REPORT ON UNIT OF ACCOUNT  
OR CURRENCY TO BE USED IN EXPRESSING CAPITAL CEILING  
THUS DELETED.

3. ARTICLE VII(1)(A) ADOPTED WITH INCLUSION OF US TEXT  
ON EQUIVALENT CHARGES FOR EQUIVALENT SERVICES TO  
SIGNATORIES IN PLACE OF LAST SENTENCE OF WP-10 TEXT;  
VOTE 22 IN FATOR (US).

4. A. ARTICLE X BIS AND X TER (CONF 13); AFTER

INITIAL DISCUSSION THESE TURNED OVER TO AD HOC WORKING  
GROUP TO CONSIDER AND REPORT FINDINGS BACK TO COMM II  
MORNING FEB 18.

B. ARTICLE X QUATER (CONF 13) - (EXONERATION FROM  
LIABILITY) ADOPTED PROVISIONALLY AND SUBMITTED TO LEGAL  
WORKING GROUP WHICH CONSIDERING OTHER LIABILITY ISSUES.  
AFTER REVIEW AND COMMENT BY LEGAL WG, X QUATER TO BE  
RECONSIDERED BY COMM II.

5. ART XI (CONF 13) - SETTLEMENT UPON WITHDRAWAL  
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OR TERMINATION; PARAS (1), (1)(A) AND (1)(B) ADOPTED;  
PARA (1)(C) ADOPTED WITH DELETION OF WORDS AFTER "...  
WITHDRAWAL OR TERMINATION ..."; PARA (2) ADOPTED WITH  
DELETION OF BRACKETED (B) AND REMOVAL OF 2ND SET OF  
BRACKETS RETAINING LANGUAGE; PARA (3), (4) AND (5) TO  
BE CONSIDERED AT NEXT SESSION OF COMM II.

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** COMMUNICATION SATELLITES, MEETING REPORTS, MARITIME MEETINGS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 17 FEB 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
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**Disposition Approved on Date:**  
**Disposition Authority:** morefirh  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
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**Disposition Remarks:**  
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**Executive Order:** N/A  
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**Reference:** 76 LONDON 2437  
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**Review Content Flags:**  
**Review Date:** 12 MAY 2004  
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**Review Exemptions:** n/a  
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Margaret P. Grafeld  
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EO Systematic Review  
04 MAY 2006

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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** INMARSAT CONFERENCE, SECOND SESSION: DAY 6  
**TAGS:** PORC, ETEL, IMCO, INMARSAT  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006